



# TOWN OF PALM BEACH

## MINUTES OF THE TOWN COUNCIL MEETING HELD ON TUESDAY, MARCH 12, 2024

### I. CALL TO ORDER AND ROLL CALL (01:27)

The Town Council Meeting was called to order at 9:30 a.m. On roll call, all council members were found to be present.

### II. INVOCATION AND PLEDGE OF ALLEGIANCE (01:57)

Deputy Town Clerk Gayle-Gordon gave the Invocation and President Zeidman led the Pledge of Allegiance.

### III. MODIFICATIONS TO THE AGENDA (02:55)

The following items were made time certain:

XII.B.4 Phipps Ocean Park Project Update  
RESOLUTION NO. 031-2024  
**TIME CERTAIN: 4:00 PM**

XII.B.5 Discussion Regarding Traffic Issues and Presentation of Mitigation Plans  
**TIME CERTAIN: 3:00 PM**

XII.C.2 Pension Plan Review and Proposal  
**TIME CERTAIN: 2:00 PM**

### IV. APPROVAL OF AGENDA (05:40)

**Motion was made by Council Member Cooney and seconded by Council Member Crampton to approve the agenda, as amended. On roll call, the Motion passed unanimously.**

**V. RECOGNITIONS (06:13)**

Mayor Moore announced that March is National Procurement Month. She then recognized Dean Mealy, Procurement and Contract Manager and the Procurement team for receiving the Agency Certification Excellence in Achievement Award from the Universal Public Procurement Certification Council.

Mayor Moore announced Bob Miracle's 55<sup>th</sup> birthday and wished him a happy one.

**A. Recognition of John David Corey's Service on the Architectural Commission (ARCOM) from March 2016 to March 2024**

Mayor Moore read the inscription on the plaque and presented it to him for his eight (8) years of service on the Architectural Commission.

**B. Recognition of Thomas Kirchhoff's Service on the Architectural Commission (ARCOM) from March 2021 to March 2024**

Mayor Moore read the inscription on the plaque and presented it to him for his three (3) years of service on the Architectural Commission.

Mayor Moore recognized the following employee milestones:

Charles Lee – Firefighter Paramedic (FR) 5 years  
Nicholas Potenza - Firefighter Paramedic (FR) 5 years  
Gervin Turnbull – Water Resources Technician II (PW) 25 years  
Vincent Starling – Equipment Operator II (PW) 25 years  
Stephanie Mavigliano – Administrative Specialist (FR) 30 years  
Brandon Madison – Equipment Operator I (PW) 10 years  
Max Kelly – Police Officer (PD) 10 years

*Clerk's Note: Reconvened from break at 10:00 a.m.*

**VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS (24:38)**

**A. Presentations by the Applicants and Appointments to the Architectural Commission**  
*Kelly Churney, Acting Town Clerk*

The following applicants presented their applications and answered questions from the Town Council Members:

Katherine "KT" Catlin, 266 Fairview Road  
Alicia "Maisie" Grace, 247 Seaspray Avenue  
Hillary Masters, 170 Chilean Avenue, #3C  
David R. Phoenix, Jr., 434 Chilean Avenue, #2C

Jeffery Smith, 241 Sanford Avenue  
Claudia Visconti, 310 Valette Way, WPB

**Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to appoint Jeffrey W. Smith, Katherine Catlin and Claudia Visconti as regular members to the Architectural Commission. On roll call, the Motion passed 4-1 with Council Member Araskog dissenting.**

**Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to appoint David R. Phoenix, Jr. as an alternate member to the Architectural Commission. On roll call, the Motion passed unanimously.**

**B. [Presentations by the Applicants and Appointments to the Code Enforcement Board](#) (56:43)  
*Kelly Churney, Acting Town Clerk***

The following applicants presented their applications and answered questions from the Town Council Members:

John P. Cohen, 2778 S. Ocean Blvd., Apt. 405N  
Harris Fried, 250 Seminole Avenue  
Herbert Krauss, 100 Sunrise Avenue, Apt. 615  
Chris Larmoyeux, 217 Tangier Avenue  
Scotch Peloso, 244 Sunset Avenue, Apt. 5  
Corinne Lagano, 2840 S. Ocean Blvd., Apt. 112

**Motion was made by Council Member Crampton and seconded by Council Member Cooney to appoint Chris Larmoyeux, Scotch Peloso and Harris Fried as regular members of the Code Enforcement Board. On roll call, the Motion passed unanimously.**

**Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to appoint John P. Cohen as an alternate member to the Code Enforcement Board. On roll call, the Motion passed unanimously.**

**C. [Presentations by the Applicants and Appointments to the Landmarks Preservation Commission](#) (1:33:48)  
*Kelly Churney, Acting Town Clerk***

The following applicants presented their applications and answered questions from the Town Council Members:

Jacqueline Albarran, 11979 Polo Club Road, Wellington  
Catherine Brooker, 127 Root Trail

Daniel Clavijo, 17474 Tiffany Trace Drive  
Kim Coleman, 555 Island Drive  
Brittain Damgard, 117 Wells Road  
Isabella Gonzalez, 361 S. County Road, Apt. 4  
Hillary Masters, 170 Chilean Avenue, #3C

**Motion was made by Council Member Crampton and seconded by Council Member Cooney to appoint Jacqueline Albarran and Brittain Damgard as regular members to the Landmarks Preservation Commission. On roll call, the Motion passed unanimously.**

**D. [Presentations by the Applicants and Appointments to the Retirement Board of Trustees](#) (2:06:19)  
*Kelly Churney, Acting Town Clerk***

The following applicant presented his application and answered questions from the Town Council Members:

David Sabath, 3170 S. Ocean Blvd., Apt. 503S

**Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to appoint Daniel Stanton as a regular member to the Retirement Board of Trustees. On roll call, the Motion passed unanimously.**

**VII. [COMMENTS OF MAYOR DANIELLE H. MOORE](#) (2:20:42)**

Mayor Moore reminded residents that the Police Department is available to help them. She encouraged people to call the Police Department to let them know of any potential issues.

**VIII. [COMMENTS OF TOWN COUNCIL MEMBERS](#) (2:13:55)**

Council President Pro Tem Lindsay brought up an effective way of measuring sea level rising in the lagoon. She asked that Mr. Brazil provide an update. Mr. Brazil said Town Council approved the purchase and installation of tide gauges. Those devices have been installed, and data is being collected. He said the Port Authority has indicated interest in participating. A NOAA station is anticipated, which would result in better data, long-term.

Council President Pro Tem Lindsay, said because the Lake Worth Lagoon is fed by two inlets, Palm Beach Inlet and Boynton Beach Inlet, asked the Mayor if she would reach out to whoever controls the inlet to see if they would be interested in participating with the tide gauges. She thought it would be worthwhile to have both inlets participate. Mayor Moore asked Mr. Brazil and his staff to contact the operators at both inlets about participating.

Council President Zeidman highlighted Brad Gary, who first approached the Town Council and asked for the tide gauges.

Council Member Cooney commented about the legislative bills coming up that would be targeting local historic preservation. He mentioned the importance of keeping up with the legislature's actions.

Council Member Araskog referred to an article in the newspaper about residents complaining about the lack of dress on the beaches. She noted that it is the minority of people who are not dressing appropriately. She said there are many people who use the beaches who do dress appropriately.

**IX. COMMUNICATIONS FROM CITIZENS - 3MINUTE LIMIT PLEASE**  
**(2:24:03)**

Diane Bueller, Friends of Palm Beach, thanked Council President Zeidman for the support she has given. She stated she has been chosen to serve on a NOAA's MERHAB, a research program on sargassum. She gave updates on the condominiums that have been very receptive to bucket stands. She also reported on turtle nesting. Ms. Bueller stated that the thirty-day period ends tomorrow, on the derelict vessel near Lagomar Road. It sits on public property and if left where it is, it will continue to break apart and become a problem. Ms. Bueller sincerely hopes the Town Council will consider a time change for off-leash dogs from Sunset to Wells, to better protect the endangered species.

Fred Wright, Palm Beach Towers, expressed concern about the area under Royal Poinciana Way, under the underpass. He felt that area was the most dangerous place in Palm Beach. He did not want anyone to get hurt on the rocks and he thought a railing would be helpful. He offered to make a donation toward paying for a railing. Mr. Wright also spoke about vehicular traffic in the town. He spoke about water desalination and expressed concern about ongoing construction.

Mr. Brazil said that the Town Council directed staff to see what could be done under Royal Poinciana Way. He said that underpass is under the jurisdiction of the Florida Department of Transportation (FDOT) and they were notified. They have not acted, and Mr. Brazil said staff would reach out to FDOT again.

Council President Pro Tem Lindsay asked if it would be helpful to have the Mayor, Town Manager, Chief of Police, and Director of Public Works to sign on to helping with FDOT to express the importance of the safety hazard presented under the Royal Poinciana underpass. Mr. Brazil said correspondence would be drafted to the District Secretary. Mr. Blouin also commented on this safety issue and the possibility of including the Governor. Mayor Moore felt that the decision to contact the Governor should be carefully considered from a priority perspective.

Robert Maxner, 3120 S Ocean Blvd, spoke about the Bonefish Islands Restoration Project. He supported the project. However, he expressed concern about the waiver being requested for work hours. Mr. Blouin and Mr. Brazil responded to Mr. Maxner.

X. [APPROVAL OF CONSENT AGENDA \(2:37:38\)](#)

Motion was made by Council Member Cooney and seconded by Council Member Araskog to approve the Consent Agenda, as amended. On roll call, the Motion passed unanimously.

The following items were pulled and heard under Item No. XII.A.

RESOLUTION NO. 017-2024

RESOLUTION NO. 018-2024

RESOLUTION NO. 026-2024

RESOLUTION NO. 033-2024

A. MINUTES

1. Town Council Meeting Minutes  
*Kelly Churney, Acting Town Clerk*
  - a. February 13, 2024, Town Council Meeting Minutes
  - b. February 14, 2024, Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of February 28, 2024  
*Wayne Bergman, Director of Planning, Zoning and Building*

B. RESOLUTIONS

1. RESOLUTION NO. 017-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Bifurcating the Project Designation Manual or Design Review Matrix for the ARCOM and LPC as referenced in Chapter 18 of the Town Code of Ordinances; Providing an Effective Date.  
*Wayne Bergman, Director of Planning, Zoning and Building- **Pulled and Heard as Item No. XII.2***
2. RESOLUTION NO. 018-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Locally Funded Agreement (LFA) Between the Florida Department of Transportation (FDOT) and the Town of Palm Beach for the Amount of \$17,979, and Amendment One to the Maintenance of Memorandum Agreement for the Roadwork Construction Project along State Road-A1A from Lake Avenue to North of Ibis Way Project.  
*H. Paul Brazil, P.E., Director of Public Works- **Pulled and Heard as Item No. XII.3***

3. RESOLUTION NO. 024-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to CPZ Architects Inc. for Town of Palm Beach Police Station Renovation of the Bathrooms, Locker Rooms and Aging Sanitary Sewer and Domestic Water Piping in the Amount of \$179,906 and Establishing a Project Budget of 198,000 for Design Services.

*Dean Mealy, II Procurement and Contract Manager*

4. RESOLUTION NO. 026-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2024-12, Automated External Defibrillators (AED) and Related Training Material for the Fire Department in an Amount Not-to-Exceed \$150,000 to Life Safety Solutions.

*Dean Mealy, II Procurement and Contract Manager- **Pulled and Heard as Item No. XII.4***

5. RESOLUTION NO. 029-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Kimley-Horn and Associates, Inc. for Professional Engineering Services for the Sand Transfer Plant in the amount of \$99,300 and Establishing a Project Budget of \$114,195.

*Dean Mealy, II Procurement and Contract Manager*

6. RESOLUTION NO. 030-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Duval Ford for the Purchase of Two (2) Ford Bronco Sports for the Fire Department in an Amount of \$63,184 and Establishing a Project Budget of \$70,000.

*Dean Mealy, II Procurement and Contract Manager*

7. RESOLUTION NO. 033-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Proposed Beautification Design Plans for the Park Avenue Pocket Parks and Accept a Donation to Construct the Beautification Project. The Donation Amount is to be Determined at the Time of the Final Bid.

*H. Paul Brazil, P.E., Director of Public Works- **Pulled and Heard as Item No. XII.1***

## **C. OTHER**

1. Request to Consider Ordinance Nos. 001-2024; 002-2024; 003-2024; 004-2024; 005-2024; 006-2024 and 009-2024, at the March 13,

2024, Public Hearing Prior to 5:00 PM

*Wayne Bergman, Director of Planning, Zoning and Building*

2. PERC - Extension of Appointment  
*Gillian Barth, Director of People & Culture*
3. Request by the City of West Palm Beach for Town Sponsorship for City's 4th on Flagler Event  
*Kirk W. Blouin, Town Manager*
4. Endorse Palm Beach County's Bonefish Islands Restoration Project and Approve Waivers to Town Code for Construction Dates, Hours, and Noise in Lake Worth Lagoon  
*H. Paul Brazil, P.E., Director of Public Works*

*Clerk's Note: This item was taken out of order and heard after RECOGNITIONS*

**XI. BOARD/COMMISSION ANNUAL REPORT (12:49)**

- A.** Annual Report of the Landmarks Preservation Commission  
*Sue Patterson, Chair*

Ms. Patterson presented the annual report for 2023. She presented a plaque of appreciation to Council President Zeidman, making her an honorary member of the Landmarks Preservation Commission. She also thanked the rest of the Commission and Town Staff for always being available and supportive.

There were some questions that were answered, and Council President Zeidman recognized the LPC for a job well done in their efforts to correct an error and to bring the community together on an important project for the town.

**Motion was made by Council Member Cooney and seconded by Council Member Crampton to accept the Annual Report of the Landmarks Preservation Commission. On roll call, the Motion passed unanimously.**

*Clerk's Note: A short break was taken at 9:45 AM*

**XII. REGULAR AGENDA**

- A. Matters Pulled From Consent Agenda: If needed**

1. RESOLUTION NO. 033-2024 (2:40:19) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Proposed Beautification Design Plans for the Park Avenue Pocket Parks and Accept a Donation to Construct the Beautification Project. The Donation Amount is to be Determined at the Time of the Final Bid.  
*H. Paul Brazil, P.E., Director of Public Works*

Mayor Moore stated she was notified that Dr. Nasser, a neighbor to the park, had concerns because she had not been informed and wanted to know was there any public notice of the Resolution. The only notice required for this resolution was notice of the agenda. There were no additional public notice requirements.

Mr. Brazil stated that two parcels along Park Avenue were donated to the town several years ago. A private donor had worked with a designer to prepare plans and agreed to cover the cost of the beautification project. Ms. Ziska, attorney, contacted staff about the donor's desire and stated that the donor was not asking for anything in return. Ms. Strayer added that with regard to Phase 8 undergrounding, the location of transformers would be worked into the park.

There was discussion about notice requirements. Council member Araskog thought, at a minimum, that people on Park Avenue should have been notified about the potential for changes to public park properties.

Corey Myer, Neivera Williams Design, presented the plan for the project.

Mr. Bergman, Director of Planning, Zoning and Building, provided clarification of the process. He said for substantial changes along lot lines, the neighbors will be required to complete a consent form.

**Motion was made by Council Member Cooney and seconded by Council Member Crampton to approve Resolution No. 033-2024. On roll call, the Motion failed 2-3 with Council Member Araskog, Council President Pro Tem Lindsay and Council President Zeidman dissenting.**

**Motion was made by Council Member Araskog to approve Resolution No. 033-2024 with the condition that all owners on Park Avenue and abutting properties are noticed and if there is negative feedback, will return to the Town Council at the April 9, 2024 meeting. Motion died for lack of a second.**

Council President Zeidman suggested this item be approved, but the procedure be reviewed and improved as appropriate.

**Motion was made by Council Member Cooney and seconded by Council Member Crampton to approve Resolution No. 033-2024. On roll call, the Motion passed 3-2 with Council Member Araskog and Council President Pro Tem Lindsay dissenting.**

2. [RESOLUTION NO. 017-2024](#) (3:11:53) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Bifurcating the Project Designation Manual or Design

Review Matrix for the ARCOM and LPC as referenced in Chapter 18 of the Town Code of Ordinances; Providing an Effective Date.

*Wayne Bergman, Director of Planning, Zoning and Building*

Mr. Bergman presented the Resolution and why this item was before the Town Council.

**Motion was made by Council Member Araskog and seconded by Council Member Crampton to defer Resolution No. 017-2024 to the April 9, 2024, Town Council Meeting and to provide a redlined version at said meeting. On roll call, the Motion passed 4-1 with Council Member Cooney dissenting.**

3. [RESOLUTION NO. 018-2024](#) (3:18:35) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Locally Funded Agreement (LFA) Between the Florida Department of Transportation (FDOT) and the Town of Palm Beach for the Amount of \$17,979, and Amendment One to the Maintenance of Memorandum Agreement for the Roadwork Construction Project along State Road-A1A from Lake Avenue to North of Ibis Way Project.

*H. Paul Brazil, P.E., Director of Public Works*

Council Member Crampton asked Mr. Brazil to enumerate the work that would be done under the subject contract. Mr. Brazil responded.

**Motion was made by Council Member Crampton and seconded by Council Member Araskog to approve Resolution No. 018-2024. On roll call, the Motion passed unanimously.**

4. [RESOLUTION NO. 026-2024](#) (3:21:44) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2024-12, Automated External Defibrillators (AED) and Related Training Material for the Fire Department in an Amount Not-to-Exceed \$150,000 to Life Safety Solutions.

*Dean Mealy, II Procurement and Contract Manager*

Council President Zeidman asked Fire Chief Baker to explain where the Automated External Defibrillators would be placed. Chief Baker talked about the placement of the AED units; he also spoke about training that would be available once the units are installed. He stated there would be a lot of publicity about the AED units and training opportunities.

Mayor Moore asked if residents could get training to use their personal AED

units. Chief Baker said yes.

**Motion was made by Council Member Araskog and seconded by Council President Pro Tem Lindsay to approve Resolution No. 026-2024. On roll call, the Motion passed unanimously.**

*Clerk's Note: A lunch break was taken at 1:30 PM and reconvened at 2:00 PM*

**B. Old Business**

1. [Verbal Update Regarding Traffic Study Additional Tasks](#) (5:30:37)  
*Wayne Bergman, Director of Planning, Zoning and Building*

Mr. Bergman stated that The Corradino Group presented the Traffic and Parking Study last month. The Town Council raised nineteen items that were sent back to Mr. Corradino for additional review. He asked the Town Council to confirm that the correct items have been identified and returned to Mr. Corradino for additional study.

**The consensus of the Town Council was to defer discussion of the Traffic Study Additional Tasks to March 13, 2024.**

Mr. Bergman reviewed the next steps with the Town Council.

Anita Seltzer, 44 Cocoanut Row, asked for a copy of the e-mail regarding the traffic study before tomorrow.

2. [RESOLUTION NO. 028-2024](#) (29:25) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Second Amendment and Restated Ground Lease Agreement with CRE Fund at Okeechobee Boulevard, LLC, a Florida Limited Liability Company and is Joined in the Second Amendment by AHS Residential, LLC.  
*Kirk W. Blouin, Town Manager*

Mr. Blouin presented the second amendment to the restated ground lease.

Council President Zeidman read the Resolution.

**Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to approve Resolution No. 028-2024. On roll call, the Motion passed unanimously.**

3. [Town-wide Undergrounding Project - Review of Project and Dashboard, Summary of Project Status](#) (28:56)  
*H. Paul Brazil, P.E., Director of Public Works*

Ms. Strayer noted that in two months, there should be a GMP for Phase 7 South. There were no other comments or questions about the project.

4. [Phipps Ocean Park Project Update](#) (6:33:59)

RESOLUTION NO. 031-2024 A Resolution of the Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving A Guaranteed Maximum Price Construction Contract for the Phipps Ocean Park Improvements to Burkhardt Construction, Inc. In The Amount Of \$30,018,930.15 And Establishing an Overall Construction Budget Of \$33,027,930.15. Contingent On the Approval of The Phipps Ocean Park Capital Gifts and Operation Agreement.

*H. Paul Brazil, P.E., Director of Public Works*

Patricia Strayer, Town Engineer, presented the resolution. There was some discussion about the contents of the resolution.

Corinne Lagano, 2840 S. Ocean Blvd, inquired about seeing the plans for the project.

Mr. Brazil said the Preservation Foundation of Palm Beach said they would donate their share of the project, the town will fund the lifeguard station and tennis courts as planned work.

**Motion was made by Council President Pro Tem Lindsay and seconded by Council Member Cooney to approve Resolution No. 031-2024. On roll call, the Motion passed 4-1, with Council Member Araskog dissenting.**

Amanda Skier, Palm Beach Preservation Foundation, expressed gratitude on behalf of the Foundation. She also thanked staff for helping get this project approved.

5. [Discussion Regarding Traffic Issues and Presentation of Mitigation Plans](#) (5:44:01) and (6:54:23)

*Nicholas Caristo, Chief of Police*

Chief Caristo recapped the steps that have been taken to mitigate traffic. The Police Department has worked with Palm Beach Traffic Management to open up the lights on the West Palm Beach corridor during peak hours to help traffic flow off the bridges. The United States Coast Guard has been lobbied to allow for delayed bridge openings. Peak times on the bridges have been established, 7:30 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. Chief Caristo reviewed the times that bridges will be opened. The information is already on the Town's website.

Mr. Brazil introduced Adam Kerr, Kimley-Horn and Associates, to present the new traffic signal software information. He discussed limits to the system and alternatives available to the town. He gave an overview of the next steps in fine-tuning the system. Mr. Brazil presented data concerning the traffic volume increases experienced in the area of North County Road and Sunset Avenue and at Royal Poinciana Way. There was some discussion about changing the allowable construction hours to reduce traffic during peak hours. Mr. Brazil said the construction and landscape industries would prefer to begin work earlier. There was discussion about traffic in the areas of Publix and Royal Poinciana Way.

Anita Seltzer, 44 Cocanut Row, made comments regarding traffic mitigation strategies.

[\(6:54:23\)](#) Police Chief Caristo stated that he and Harvey Oyer, Attorney, had been working together to discuss a plan to minimize traffic congestion in and around the Mar-A-Lago area. He said a solid plan has been put into place. Chief Caristo reviewed the details of the traffic mitigation plan.

Council Member Araskog expressed concern that the plan had changed since being published and she thought the public should have an opportunity to review the modified plan. She also thought the Town Council should have more time to review the plan with changes.

Mr. Oyer agreed with Council Member Araskog. He said that right now, Mar-A-Lago is obligated to a lot less stringent traffic management plan than what has been presented. He said everything in the new plan is given by Mar-A-Lago to help with traffic. The reason the Town Council received the plan with changes at the last moment was because the Police Department asked that some changes be made to the plan. Mr. Oyer discussed the concessions made by Mar-A-Lago to protect the Town.

Council President Zeidman shared that she did not want to see this item delayed. She said this item would have been presented to the Town Council earlier if there had not been problems that needed to be addressed before presentation to the Town Council. She said the agreement protects the town. She thanked Mr. Oyer, the Secret Service and the Police Department for making themselves available on a moment's notice to work on the recent issues and provide corrective plans within this current document for Council review and approval.

Mayor Moore brought up double stacking of vehicles at the south gate. Mr. Oyer responded.

Council Member Cooney said when the Town's law enforcement officers manage traffic, he sees a measurable difference compared to when the Palm

Beach Sheriff deputies are in charge. He stressed the importance of effective communication.

**Motion was made by Council Member Araskog and seconded by Council Member Cooney to defer the Mar-A-Lago Traffic Management Agreement to the April 9, 2024, Town Council Meeting. On roll call, the Motion passed 4-1 with Council President Zeidman dissenting.**

**C. New Business**

1. [GIS Web Application Demonstration](#) (7:34:23)

*Andy Jadoo, Director of Information Technology*

Mr. Jadoo introduced the Town Council agenda mapping project. A demonstration of the project was given by James Murphy, Assistant Director of Planning, Zoning and Building.

2. [Pension Plan Review and Proposal](#) (3:47:52)

*Maggie Zeidman, Council President*

Council President Zeidman said she met with Gillian Barth, Director of People & Culture, Bob Miracle, Deputy Town Manager and Kirk Blouin, Town Manager to review high vacancy rates and potential changes to the pension plan to make Palm Beach more market competitive with surrounding municipalities. She said the multiplier for the pension plan is important to employees. She provided a history of changes that had been made to the town pension plan. She said there continues to be challenges with recruitment and retention of employees. She said the employee vacancy rate is 10%, and the Town is not market competitive. She noted that the vacancy rate has continued to be 10% over the last year and a half and that 3.5% is the generally accepted standard. She stated that each Council member has had the opportunity to meet with staff to review all the proposed changes. President Zeidman complimented the Council on taking a deep dive into this issue. She remarked that some Council members had even met twice with staff to familiarize themselves with the changes. She stated that the changes had been reviewed with our Actuary, Pete Strong, and with Dan Stanton, Chair of the Retirement Board. If implemented, the increase in the ADEC will be an average of \$1M each year over the next 15 years. The total cost is anticipated to be \$15M over the next 15 years. Council President Zeidman stated she was supportive of the proposed changes.

Gillian Barth, Director of People & Culture, stated the Town of Palm Beach is a special place which requires a certain level of education and experience to provide the level of service expected. She said recruitment is intended to attract potential employees from all different sectors because there are

varied positions within the town.

Ms. Barth presented the recommendations for consideration. She explained each option and said that recommendations had been determined with fiscal responsibility in mind.

There was some discussion about the Florida Retirement System and why the town has not chosen to use that pension program.

Bob Miracle, Deputy Town Manager, presented the funding impact of retirement. He compared the current plan to the plan with multiplier being increased to 3% for public safety and 2% for general employees, as proposed. He discussed the added cost to the town. Ms. Barth pointed out the recommendations that would be cost-neutral.

Mayor Moore commented that there is a statewide issue with recruiting and keeping Water Resource Technicians because the State of Florida did not have reciprocity with any other state. The Florida League of Cities has been working on this issue. Ms. Barth responded that the Town is working on an internship program to attract water resource professionals to the credit of Jeff Coleman.

The Town Council discussed the pension plan and the justifications for the recommended changes. Council Member Crampton noted that documentation of the need for the recommended changes was important.

Council Member Araskog asked about reducing the defined pension plan vesting from ten (10) years to five to eight (5-8) years. Ms. Barton explained the averages and why the town would want to change vesting from ten (10) years to five (5) years. Ms. Stone said a lot of research had been done with regard to the younger generations and it would be a challenge to attract those employees with a vesting period of seven (7) to ten (10) years. She noted that recent trending data has been taken into consideration. Mr. Miracle said the difference between a five (5) year and a seven (7) year vesting period was insignificant. Council Member Araskog thought the entire benefit package should be reviewed.

Council Member Araskog raised concern about the interest that would have to be paid on the cost difference between the current plan and the plan with recommended changes. The difference is \$15,510,232, of which \$7 million would be interest charges. Mr. Miracle said the information provided is an actuary table where assumptions were used. He said he would be concerned about pulling that much money out of different funds and whether or not 6 or 7% would be earned for fifteen years to get the Town to the \$5.5 million.

Council Member Cooney asked how many employees were grandfathered

in the earlier pension plan. Ms. Barth said approximately eighty. He asked what percentage of the unfunded liability was related to the older pension. Mr. Miracle would have to check, he was unsure how the actuarial calculates that information. Mr. Blouin noted that everyone employed since 2012 was on a new pension plan.

Council President Pro Tem Lindsay commented that it was high time to restore the multiplier. She said one of the coveted things about Palm Beach is that people feel safe, and that is attributed to the quality of employees recruited and retained by the Town. She said the town needs to be comparable, and she was supportive of the recommended changes.

Mayor Moore asked about the length of time required to recruit an employee. Ms. Barth said part of the time it takes is due to the rigorous background checks conducted on employment candidates.

Mr. Blouin provided supportive comments with regard to the recommendations being made for consideration.

Council Member Araskog said there is a need for additional law enforcement officers. Police Chief Caristo clarified that there are conditional officers still in the training process.

The consensus of the Town Council was to approve the Pension Plan Proposal, with a recommendation that it be reviewed by the Retirement Board of Trustees. President Zeidman requested that she and Ms. Barth take the proposed changes to the March 22 Retirement Board meeting. The Council agreed.

3. [Discussion Regarding Time Extensions & Deferrals Related to LPC/ARCOM \(35:21\)](#)

*Wayne Bergman, Director of Planning, Zoning and Building*

Mr. Bergman was looking for consensus from the Town Council to draft an ordinance that would limit the number of time extensions and deferrals that could be requested by an applicant. Currently, time extensions can last up to 36 months.

Mr. Bergman said that language regarding deferrals needs to be cleaned up, not changed.

James Murphy, Assistant Director of Planning, Zoning and Building, offered additional comments regarding the request for policy direction.

The consensus of Town Council was for staff to further study time extensions and deferrals and return to the April 9, 2024, Town Council

meeting.

4. [RESOLUTION NO. 034-2024](#) (7:44:00) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, To Amend the Town's Fund Balance Policy for the General Fund.

*Bob Miracle Deputy Town Manager - Finance and Administration*

Mr. Miracle presented the General Fund and Retirement policies. He said in April, he will talk about the policies with the Finance & Tax Committee. Those policies will then be presented to the Town Council with feedback from the subcommittee. Mr. Miracle reviewed the changes to the policies. He incorporated information about best practices and trends. He shared comparative information between the old policy and the new policy. Mr. Miracle presented comparisons between Palm Beach and other Palm Beach municipalities.

Mayor Moore said the Town's millage rate is all-inclusive. The other municipalities' millage rates are often broken out differently. Mr. Miracle stated that the other municipalities' regular millage rate, with addition of any debt millage rate, was used in the comparison calculations. Mr. Blouin said the town is full-service, and approximately 60% of the budget is for police and fire. Mr. Miracle said he would include information where other municipalities contract out public safety services for comparative purposes.

Council Member Crampton thought the town residents should know more about the town's finances. Mr. Miracle was hoping to find out the impact on coastal communities when there were hurricanes. He wanted to find out what the lasting impacts were in those scenarios. He also said that GFOA could provide some consulting on this type of estimating and that they would use FEMA-based information.

Mark Zeidman, 229 Barton Avenue, commented about fund balance policy from a long-term perspective. He stated that he liked comparing things to ad valorem tax revenues. Mr. Zeidman said the new policy was an improvement but did not quantify what the town's exposure was to loss from a catastrophic event such as a hurricane.

**Motion was made by Council Member Cooney and seconded by Council Member Crampton to approve Resolution No. 034-2024. On roll call, the Motion passed unanimously.**

5. [RESOLUTION NO. 035-2024](#) (20:31) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, To Amend the Town's Funding Policy for the Retirement Fund.

*Bob Miracle, Deputy Town Manager - Finance and Administration*

Council Member Crampton thought amending the Town's Funding Policy for the Retirement Fund needed additional study.

**Motion was made by Council Member Cooney and seconded by Council Member Araskog to approve Resolution No. 035-2024. On roll call, the Motion passed 4-1, with Council Member Crampton dissenting.**

**D. Quarterly Litigation Report**

1. [Litigation Status Report](#) (40:46)  
*Joanne O'Connor, Town Attorney*

Attorney O'Connor provided the quarterly litigation report.

**XIII. ORDINANCES**

**A. First Reading**

1. [Proposed Ordinance to Amend the Town Code Relative to the Deferred Retirement Option Program \(DROP\)](#) (43:13)

ORDINANCE NO. 010-2024 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 82 Of The Town Code Of Ordinances Relating To Personnel, At Article II, Employee Benefits, Division 2, Retirement System; Amending Subdivision IV, Police Officers, By Amending Section 82-119, Deferred Retirement Option Program For Police Officers; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

*Joanne O'Connor, Town Attorney*

Attorney O'Connor presented the ordinance to amend the Town Code relative to the DROP program. This ordinance allows the Town Manager to extend his participation in the DROP by two years for a maximum period of up to twelve (12) years.

Council Member Cooney read the Ordinance by title only.

**Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to approve the first reading of Ordinance No. 010-2024. On roll call, the Motion passed unanimously.**

**XIV. ANY OTHER MATTERS - None**

**XV. ADJOURNMENT**

**Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to adjourn the Town Council Meeting of March 12, 2024 at 7:08 PM. On roll call, the Motion passed unanimously.**

APPROVED:

\_\_\_\_\_  
Margaret A. Zeidman, Town Council President

ATTEST:

\_\_\_\_\_  
Pat Gayle-Gordon, Deputy Town Clerk

\_\_\_\_\_  
Date